

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:	)	Case No. 16-39654
	)	(Jointly Administered)
ARGON CREDIT, LLC, <i>et al</i> ,)	
	)	Chapter 7
Debtors.)	
	)	Hon. Deborah L. Thorne
)	
	)	Hearing Date: October 15, 2020 at 9:00 a.m
)	

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on October 15, 2020 at 9:00 a.m., I will appear before the Honorable Deborah L. Thorne, or any judge sitting in her place, and present the *Motion for Entry of an Order: (I) Pursuant to Bankruptcy Rule 9019 Approving Settlement with Fund Recovery Services, LLC, and (II) Approving Payment of Contingency Fee*. Parties-in-interest may obtain a complete copy of the Motion by contacting undersigned counsel.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID and password for this hearing will be provided by chambers at a later date. These credentials can also be found on the judge's page on the court's web site, at <https://www.ilnb.uscourts.gov/content/judge-deborah-l-thorne>.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Dated: September 24, 2020

**KAREN R. GOODMAN, CHAPTER 7
TRUSTEE**

By: /s/ Elizabeth L. Janczak
One of Her Attorneys

Shelly A. DeRousse, Esq.
Elizabeth L. Janczak, Esq.
FREEBORN & PETERS LLP
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606-6677
Telephone: 312.360.6000
Facsimile: 312.360.6520
sderousse@freeborn.com
ejanczak@freeborn.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:	)	Case No. 16-39654
	)	(Jointly Administered)
ARGON CREDIT, LLC, <i>et al</i> ,)	
	)	Chapter 7
Debtors.)	
	)	Hon. Deborah L. Thorne
)	
	)	Hearing Date: October 15, 2020 at 9:00 a.m
)	

CERTIFICATE OF SERVICE

I, Elizabeth L. Janczak, an attorney, hereby certify that on September 24, 2020, I caused a true and correct copy of the foregoing *Notice of Motion* and *Motion for Entry of an Order: (I) Pursuant to Bankruptcy Rule 9019 Approving Settlement with Fund Recovery Services, LLC, and (II) Approving Payment of Contingency Fee*, to be filed with the Court and served upon the following parties by the manners listed.

/s/ Elizabeth L. Janczak

CM/ECF Service List (Notice and Motion)

Harold Abrahamson aralawfirm@aol.com
Gabriel Aizenberg aizenbergg@gtlaw.com, malisc@gtlaw.com; chilitdock@gtlaw.com;
stibbep@gtlaw.com; mendeloffs@gtlaw.com; ickesp@gtlaw.com
Kimberly Bacher Kimberly.Bacher@usdoj.gov, kimberlyabacher@hotmail.com
Paul M Bauch pbauch@lakelaw.com, smohan@lakelaw.com;
5242@notices.nextchapterbk.com
Rachel Blise rblise@foley.com
Michael A Brandess mbrandess@sfggh.com, bkdocket@sfggh.com
Terence Campbell tcampbell@cotsiriloslalaw.com, protert@cotsiriloslalaw.com
Jeffrey C Dan jeffd@goldmclaw.com
Shelly A. DeRousse sderousse@freeborn.com, bkdocketing@freeborn.com
William J Factor wfactor@wfactorlaw.com, wfactorlaw@gmail.com;
bharlow@wfactorlaw.com; wfactor@ecf.inforuptcy.com; wfactormyecfmail@gmail.com;
factorwr43923@notify.bestcase.com
Jonathan P Friedland jfriedland@sfggh.com, bkdocket@sfggh.com
Matthew T. Gensburg MGensburg@gcklegal.com
Karen R Goodman kgoodman@cranesimon.com, il24@ecfcbis.com;
dkobrynski@cranesimon.com; kgoodman@ecf.axosfs.com; abell-powell@cranesimon.com
Karen R Goodman kgoodman@cranesimon.com, abell-powell@cranesimon.com
E. Philip Groben pgroben@gcklegal.com, bcervantes@gcklegal.com,
rrodriguez@gcklegal.com
Valerie A Hamilton vhamilton@sillscummis.com

Jill M Hutchison jhutchison@cotsiriloslaw.com, bdardar@cotsiriloslaw.com
Elizabeth L Janczak ejanczak@freeborn.com, bkdoctring@freeborn.com
Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov
Derek V. Lofland derekloflandesq@gmail.com
Sara E Lorber slorber@wfactorlaw.com, slorber@ecf.inforuptcy.com;
nbouchard@wfactorlaw.com; bharlow@wfactorlaw.com
Edward Miller edmilleresq@aol.com
Karthik Nagarur knagarur@gmail.com
Jeffrey K. Paulsen jppaulsen@wfactorlaw.com, bharlow@wfactorlaw.com;
jppaulsen@ecf.inforuptcy.com
Nancy A Peterman petermann@gtlaw.com, chilitdock@gtlaw.com; greenbergc@gtlaw.com;
stibbep@gtlaw.com
Lars A Peterson lpeterson@lgcounsel.com
Peter J Roberts proberts@cozen.com, peter-roberts-1301@ecf.pacerpro.com;
cknez@cozen.com
Carolina Y. Sales csales@lakelaw.com, smohan@lakelaw.com;
5241@notices.nextchapterbk.com
Christina Sanfelippo csanfelippo@foxrothschild.com, orafalovsky@foxrothschild.com
Steven S. Shonder Steve@ShonderLegal.com, sshonder@me.com
David M Siegel davidsiegelbk@gmail.com, R41057@notify.bestcase.com;
johnellmannlaw@gmail.com
M. Gretchen Silver ustpreion11.es.ecf@usdoj.gov, gretchen.silver@usdoj.gov;
denise.delaurent@usdoj.gov
Arthur G Simon asimon@cranesimon.com, sclar@cranesimon.com;slydon@cranesimon.com
Michael J. Small msmall@foley.com, thardy@foley.com;DocketFlow@foley.com
Peter S Stamatis peter@stamatislegal.com
Justin R. Storer jstorer@lakelaw.com, 5217@notices.nextchapterbk.com;ECF@Lakelaw.com
Jeffrey Wilens jeff@lakeshorelaw.org

U.S. Mail Service List (Notice of Motion Only)

See attached mailing matrix.

Label Matrix for local noticing

Addison Professional Financial Services, Inc.

Ahmed Belhabib

0752-1

7076 Solutions Center

808 Canyon Terrace Ln.

Case 16-39654

Chicago, IL 60677-7000

Folsom, CA 95630-1872

Northern District of Illinois

Eastern Division

Thu Sep 17 12:18:50 CDT 2020

Gabriel Aizenberg

AmOne Corporation

American Airlines ICU

Greenberg Traurig LLP

12331 SW 3rd St

PO Box 619001

77 W Wacker

Suite 700

MD2100

#3100

Fort Lauderdale, FL 33325-2813

Dallas TX 75261-9001

Chicago, IL 60601-4904

American Express National Bank

Andy C. Warshaw, Esq.

Argon Credit LLC

c/o Becket and Lee LLP

1200 Main St., Suite G

200 W. Jackson Blvd.

PO Box 3001

Irvine, CA 92614-6749

Suite 900

Malvern, PA 19355-0701

Chicago, IL 60606-6986

Argon X LLC

Ashleigh L. Bingham

Ashley M. Dabney

200 W. Jackson Blvd.

258 Green St.

3116 W. Belmont Ave., Apt. B

Suite 900

Park Forest, IL 60466-1610

Chicago, IL 60618-5706

Chicago, IL 60606-6986

Ashley Stuart

Audrey L. Willis

B Money Holdings

9137 Ga. Hwy. 135

Office of the Chapter 13 Trustee, MDAL

2569 College Hill Circle

Naylor, GA 31641-2049

P.O. Box 173

Schaumburg, IL 60173-5204

Montgomery, AL 36101-0173

Kimberly Bacher

(p)BANK OF AMERICA

Barclays Bank Delaware

Office of the U. S. Trustee, Region 11

PO BOX 982238

ERC PO Box 57610

219 S Dearborn Room 873

EL PASO TX 79998-2238

Jacksonville FL 32241

Chicago, IL 60604-2027

Barrile, John M

Bates, Birttney T

Bates, LaTonya

200 W Jackson

914 Great Plaines

P.O. Box 168

Chicago, IL 60606-6910

Matteson, IL 60443-2477

Frankfort, IL 60423-0168

Brian and Lourdes Bauman

Beattie, Mary

Bernard Marsiglia

320 N. Aldine Ave.

32429 W River Rd

100 Forest Pl., Apt. 501

Park Ridge, IL 60068-3012

Wilmington, IL 60481-9578

Oak Park, IL 60301-1196

Bethke, John T

Blue Treble Solutions, LLC

Borden, Alea

6037 W 99th St

2009 Fair oak Ct.

1312 W George Street Apt 3

Oak Lawn, IL 60453-3663

Naperville, IL 60565-2842

Chicago, IL 60657-4102

Michael A Brandess

Breen, Brian M

Broadmark Capital, LLC

Sugar, Felsenthal, Graiss & Helsinger LLP

8500 Westberry Ln

M. Brandess Sugar Felsenthal

30 N. LaSalle St.

Tinley Park, IL 60487-7537

Graiss & Hammer

Ste. 3000

30 N. LaSalle St. Ste 3000

Chicago, IL 60602-3481

Chicago, IL 60602-3481

Brown, Derrick
11615 S Hale Ave
Chicago, IL 60643-4821

Bruce W. Breitweiser
1504 W Washington Street
Bloomington, IL 61701

Budd Lerner, P.C.
150 John F. Kennedy Pkwy
Short Hills, NJ 07078-2703

Byron Faermark
1900 S Highland Ave Suite 100
Lombard, IL 60148-4998

Calloway, Evelyn
5803 W Erie St #3S
Chicago, IL 60644-1457

Candace Harison
20 N. Tower Rd.
Oak Brook, IL 60523-1126

Canete, Ira V
1050 S School St
Lombard, IL 60148-4025

Cardinal Trust
77 W Wacker Dr
Suite 3100
Chicago IL 60601-4904

Chapter 13 Trustee, Middle District of Alaba
P.O Box 173
Montgomery, AL 36101-0173

Charles Augello
9023 Gardner Dr.
Alpharetta, GA 30009-2193

Charles Beattie
35 Woodlake Blvd., Apt. 1205
Gurnee, IL 60031-3279

Chris Walker
4138
Ridgefield Dr.
Columbus, GA 31907-6224

Christine Sammons
3250 Cannon Bay Dr.
Cumming, GA 30041-7721

Christopher Hinsley
720 Wellington Ave.
Elk Grove Village, IL 60007-3366

Clayton Pringle
911 West George St.
Banning, CA 92220-4341

Coates, Charles
3535 W Armitage Ave Unit 2F
Chicago, IL 60647-3602

Cogent Communications Chicago
221 N. LaSalle Street
Chicago, IL 60601-1514

Collins, Keyoma R
2708 Oxford Dr
Markham, IL 60428-4762

Commonwealth Edison Co
3 Lincoln Center
Attn: Bankruptcy Section
Oak Brook Terrace IL 60181-4204

Conversant LLC
P.O. Box 849725
Los Angeles, CA 90084-9725

CyberRidge
c/o Nortridge Software
2 S. Pointe Dr., Ste 250
Lake Forest, CA 92630-8537

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Dabney, Ashley M
3116 W. Belmont Avenue #2
Chicago, IL 60618-5706

Dale & Gensburg PC
200 W Adams St
Ste 2425
Chicago, IL 60606-5251

Jeffrey C Dan
Goldstein & McClintock LLP
111 West Washington
Suite 1221
Chicago, IL 60602-3482

Daniels, Panichi
61 W 146th St
Riverdale, IL 60827-2853

Data Sales Co., Inc.
3450 West Burnsville Pkwy
Burnsville, MN 55337-4203

Deborah Martin
413 Flint Trl
Jonesboro, GA 30236-1313

Paul R Defilippo
Wollmuth Maher & Deutsch LLP
500 Fifth Avenue 12th Floor
New York, NY 10110-1292

Denise Ortiz
c/o Golden & Cardona-Loya LLP
3130 Bonita Road, Ste. 200B
Chula Vista, CA 91910-3263

Dennis Nix
24701 Raymond Way
Lake Forest, CA 92630-4741

Department of Treasury-Internal Revenue Serv
PO Box 7346
Philadelphia, PA 19101-7346

DevBridge Group, LLC.
343 W. Erie St. Suite 600
Chicago, IL 60654-5789

Diekelman, Adam K
511 W Division St #512
Chicago, IL 60610-1826

Douglas Harvey
3836 South Hurt Rd.
Smyrna, GA 30082-3518

Drane, Cecelia D
719 N. 7th St.
Maywood, IL 60153-1054

Dube, Matthew R
226 N Adams St
Hinsdale, IL 60521-3126

Enova International, Inc.
175 W. Jackson Blvd. Suite 1000
Chicago, IL 60604-2863

Enova International, Inc.
200 W. Jackson St., 9th Floor
Chicago, IL 60606-6986

Erica White
10343 Linder Ave.
Oak Lawn, IL 60453-4678

Erickson, Nathan R
655 W Irving Park Rd Apt 1408
Chicago, IL 60613-3136

Ferro, Peter A
2377 Holt Rd
Minooka, IL 60447-8912

Fintech Financial, LLC
Attn: Mindi Vavra
101 Research Park Dr.
Mission, SD 57555

Florian Fox
10606 Charles St.
Huntley, IL 60142-7131

Franchise Tax Board
Bankruptcy Section MS A340
PO BOX 2952
Sacramento, CA 95812-2952

Jonathan P Friedland
Sugar Felsenthal Graiss & Helsinger LLP
30 North LaSalle Street
Suite 3000
Chicago, IL 60602-3481

Fukawa, Kim K
2462 N Orchard St #1
Chicago, IL 60614-2624

Fund Recovery Services, LLC
Sills Cummis & Gross, PC
Attn: V. Hamilton
600 College Road East
Princeton, NJ 08540-6636

Gallop Solutions, Inc.
P.O. Box 796575
Dallas, TX 75379-6575

Gary Zumski
4204 E. Frontage Rd.
Rolling Meadows, IL 60008-2520

Matthew T. Gensburg
Gensburg Calandriello & Kanter, P.C.
200 W Adams St., Ste. 2425
Chicago, IL 60606-5251

Gonzalez, James R
808 Alann Dr
Joliet, IL 60435-3821

Gonzalez, Mayra
4048 S Albany Ave
Chicago, IL 60632-2445

Karen R Goodman ESQ
Crane, Simon, Clar & Dan
135 South LaSalle Street
Suite 3705
Chicago, IL 60603-4101

Karen R Goodman ESQ
Crane, Simon, Clar & Goodman
135 S. LaSalle Street
Suite 3705
Chicago, IL 60603-4101

E. Philip Groben
Gensburg Calandriello & Kanter, P.C.
200 West Adams St., Ste 2425
Chicago, IL 60606-5251

Valerie A Hamilton
Sills Cummis Gross, P.C.
600 College Road East
Princeton, NJ 08540-6636

Heather Miller
25 Elm Dr.
Bethany, IL 61914-9516

Heather Nicholas
11496 Autumn Hill Drive
Sandy, UT 84094-5671

Heidi Smith
388 Alicia Ave.
Talladega, AL 35160-2945

Hicks, Kevin
4527 W Monroe St
Chicago, IL 60624-2519

Howard, Casey K
1624 W Division St #504
Chicago, IL 60622-3833

InContact, Inc.
75 West Towne Ridge Tower 1
Sandy, UT 84070-5528

James Ciesielski
210 N. 14th St.
Lanett, AL 36863-6454

James Hansen
2065 East County Rd. 1300
Carthage, IL 62321-3511

Jamillah Omar
8945 S. Dorchester Ave.
Chicago, IL 60619-7005

Jandice Tidwell
798 County Rd. 245
Scottsboro, AL 35768-5115

Jason Petty
5263 Highland Trace Circle
Birmingham, AL 35215-2872

Jason Sparling
103 East 5th
Spring Valley, IL 61362-1420

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Joann Brooks
2241 Mokingbird Ln.
Washington, IL 61571-3338

Joseph Coler
4480 Highwood Park. Dr.
Atlanta, GA 30344-7051

Kamie McKay
3756 Galaway Ct.
Moreno Valley, CA 92555

Karthik Nagarur
c/o Apollo Legal Services, LLC
3900 N. Lake Shore Dr., #4D
Chicago, IL 60613-3462

Krivich, Alexandria N
21847 W Kentwood Dr
Plainfield, IL 60544-7050

Lachandra Jones
3539 Oakshire Way
Atlanta, GA 30354-3630

Lagina Dardy
1807 Highland Ave., Apt. 1
Dublin, GA 31021-3644

Lakeshore Law Center
Jeffrey Wilens, Esq.
18340 Yorba Linda Blvd.
No. 107-610
Yorba Linda, CA 92886-4058

Larry McDuffie
134 GlenDale Rd.
Leesburg, GA 31763-4714

Latoria Williams
3840 Culver Rd.
Tuscaloosa, AL 35401-9511

James N Lawlor
Wollmuth Maher & Deutsch LLP
500 Fifth Ave
12th Floor
New York, NY 10110-1292

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604-2027

Lending Tree
PO Box 840470
Dallas, TX 75284-0470

Leroy Commander
600 Hunter St.
Thomson, GA 30824-1513

LexisNexis Risk Solutions
230 Park Ave.
7th Floor
New York, NY 10169-0935

Little Owl
322 E. Michigan St. Suite 302
Milwaukee, WI 53202-5005

Little Owl Argon, LLC
322 East Michigan St., Suite 302
Milwaukee, WI 53202-5005

Derek V. Lofland
Derek V. Lofland, Attorney At Law
2038 and One Half N Spaulding Ave.
Unit 2
Chicago, IL 60647

Macy's Card
PO Box 8113
Mason OH 45040-8113

Macy's Department Stores
PO Box 8218
Mason OH 45040-8218

Madanyan, Harry
6261 W 128th Pl
Palos Heights, IL 60463-2325

Marce Boykin-Hunter
649 Candle Ln.
Birmingham, AL 35214-4874

Margon LLC
Nancy A Peterman
77 W Wacker
Suite 3100
Chicago IL 60601-4904

Maria Colindres
6928
Agnes Ave. #4
North Hollywood, CA 91605-6922

Marjorie Fulmer
211 Mantle Dr.
Madison, AL 35757-7597

Mark Tiffler Trust
760 Village Center Dr., Ste. 200
32 Ruffled Heathers
Lemont, IL 60439-7746

Mark Triffler Declaration
of Trust
Nancy A Peterman
77 W Wacker Dr
Suite 3100
Chicago IL 60601-4904

Martha Fackiner
5123 Brookwood Valley NE
Atlanta, GA 30309-1455

Matthew Schmarje
608 Queen Anne St.
Woodstock, IL 60098-2841

Mattull, Eric
423 Osage Dr
Dyer, IN 46311-2237

McGee, Anthony E
2208 W 121st Place
Blue Island, IL 60406-1302

Meghan Hubbard
760 Village Center Drive, Suite 200
Burr Ridge, IL 60527-4507

Scott Mendeloff
Greenberg Traurig, LLP
77 W Wacker Drive
Suite 3100
Chicago, IL 60601-4904

Merit Management Group LP
760 Village Center Dr. Suite 200A
Burr Ridge, IL 60527-4529

Michalski, Rachel M
12933 Norwich St
Plainfield, IL 60585-7908

Michelle Waters
249 Silver Ridge Dr.
Dallas, GA 30157-8272

MicroBilt Corporation
100 Canal Pointe Blvd., Suite 208
Princeton, NJ 08540-7169

Microbilt
1640 Airport Rd., Ste. 115
Kennesaw, GA 30144-7038

Midland Funding LLC
2365 Northside Drive
Suite 300
San Diego CA 92108-2709

Mounce, Tawni L
5117 North Western Ave Apt 1
Chicago, IL 60625-2737

Munsayac, Christian
4904 N Harding Ave
Chicago, IL 60625-6105

Nelson, Rebecca
7209 Oneill Rd
Downers Grove, IL 60516-3769

Niko Evrard
1868 Stow St.
Simi Valley, CA 93063-4265

Noax, LLC
310 E. 90th Dr.
Merrillville, IN 46410-7188

Nunn, Marlon T
7765 S South Shore Dr Apt #2
Chicago, IL 60649-5789

Octavio Cardona-Loya II
3130 Bonita Road, Suite 200-B
Chula Vista, CA 91910-3263

Office of the U.S. Trustee
219 S. Dearborn St.
Room 873
Chicago, IL 60604-2027

Palla Smith
5917 Sunflower Ct.
Ellenwood, GA 30294-3891

Park, Rhonda
3531 Stackinghay Dr
Naperville, IL 60564-8335

Pasquale Caira
7508 Locust Ln.
Plainfield, IL 60586-2550

Patricia Carr
1152 Violet Dr.
Birmingham, AL 35215-7224

Paul Kotowski
7101 N. LeClaire Ave.
Skokie, IL 60077-3480

Penny Mullis
1878 Cook Ct.
Montrose, GA 31065-3237

Peraza Capital
Suite 705
StPetersburg, FL 33701

Peraza Capital and Investment, LLC.
M. Brandess Sugar Felsenthal
Graiss & Hammer
30 N. LaSalle St. Ste 3000
Chicago, IL 60602-3481

Percolate Industries
107 Grand St. 2nd Floor
New York, NY 10013-5903

Nancy A Peterman
Greenberg Traurig, LLP
77 West Wacker Drive Ste 2500
Chicago, IL 60601-1643

Lars A Peterson
L&G Law Group LLP
175 W Jackson Blvd
Suite 950
Chicago, IL 60604-2615

Pheareak Phan
25 N. Puente Dr.
Tracy, CA 95391-1147

Porche Taylor
1353 Florin Rd.
Sacramento, CA 95822-4201

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Princeton Alternative Fund (PAF)
100 Canal Pointe Blvd. Suite 208
Princeton, NJ 08540-7169

Princeton Alternative Income Fund, LP
c/o Sills Cummis & Gross, PC
Attn: V. Hamilton
600 College Road East
Princeton, NJ 08540-6636

Productive Edge, LLC.
11 E. Illinois St. Suite 200
Chicago, IL 60611-5654

RSM
5155 Paysphere Circle
Chicago, IL 60674-0001

RSM US LLP
5155 Paysphere Circle
Chicago, IL 60674-0001

Renita Briley
50 Roswell Ct.
Atlanta, GA 30305-1412

Richard Peterson
247 Talking Rock Trail
Dallas, GA 30132-0910

Rik Williamson
1014 W. S. 2nd
Shelbyville, IL 62565-1804

Robert Demetrius Walker
3590 Towanda Dr.
Atlanta, GA 30349-2334

Robert Half
12400 Collections Center Drive
Chicago, IL 60693-0124

Robert Vaughn
1236 N. Oaklane Rd. Lot 315
Springfield, IL 62707-9771

Peter J Roberts
Cozen O'Connor
123 North Wacker Drive
Suite 1800
Chicago, IL 60606-1770

Mia Victoria I. Rocello

Roderick Williams
195 Echols Way
Acworth, GA 30101-2736

Rossow, Marie E
808 POMEROON ST Apt 306
Naperville, IL 60540-4893

Ruiz, Liza
6149 W Giddings
Chicago, IL 60630-2929

Sammons, Samantha K
3420 N Lakeshore Dr. Apt 7N
Chicago, IL 60657-2887

Sandra Rheuby
421 Mono Drive
Vacaville, CA 95687-5525

Christina Sanfelippo
Fox Rothschild LLP
321 N Clark Street, Ste 1600
Chicago, IL 60654-4614

Schneider, Lisa
1804 S Racine Ave #4-B
Chicago, IL 60608-3214

Schrotenberg, Eric
2830 N Damen Ave
Chicago, IL 60618-8204

Seyfarth Shaw LLP
131 S Dearborn St. Suite 2400
Chicago, IL 60603-5577

Shah, Manali
9031 Westminster Dr
Woodridge, IL 60517-7545

Sherry Ann Morris
1205 Ridge Vista Ct.
Lawrenceville, GA 30043-7019

Sherry Morris
Allen Chern/ Douglas R. Lenhardt, Esq.
230 College Ave
Athens, GA 30601-2714

Shirley Crowell
2024 Henry Crumpton Dr.
Birmingham, AL 35211-4930

David M Siegel
David M. Siegel & Associates
790 Chaddick Drive
Wheeling, IL 60090-6005

M. Gretchen Silver
U S Trustee
219 S. Dearborn St., Room 873
Chicago, IL 60604-2027

Michael J. Small
Foley & Lardner LLP
321 North Clark Street
Suite 2800
Chicago, IL 60654-5313

Stacey Gibson
1656 Eddie Jackson Rd.
Brewton, AL 36426-3986

Steven Wayne McCormick
80 Reynolds Dr.
Rossville, GA 30741-4898

Paul F. Stibbe
Greenberg Traurig, LLP
77 West Wacker Drive, Suite 3100
Chicago, IL 60601-4904

Swoon
8474 Solution Center
Chicago, IL 60677-8004

Synchrony Bank /JCP
PO Box 960090
Orlando FL 32896-0090

Tachiana Beard
1252 Hardy Point Dr.
Evans, GA 30809-5281

Tachiana Beard
c/o Brow & Associates, LLC
Evans, GA 30809

Thomas Dyess
6740 Spice Pond Ln.
Mobile, AL 36613-9320

Thomas Zito
3552 Brookfield Rd.
Birmingham, AL 35226-2055

Timothy Miller
25 Elm Dr.
Bethany, IL 61914-9516

Tomaszkiewicz, Sean
2009 Fair Oak Ct
Naperville, IL 60565-2842

Tonya Sasser
1261 Nicole Ave.
Atmore, AL 36502-8205

Tonyetta Andrews
601 Creste Dr.
Decatur, GA 30035-4134

(p) TRANSUNION
555 W ADAMS
CHICAGO IL 60661-3631

Vanessa Waddell
214 Robin Hood
Rome, GA 30161-5874

Velocify
Attn: Billing Department
222 N Sepulveda 18th Floor
El Segundo, CA 90245-5614

Venkatasubramaniam, Shreyas
350 West Oakdale Avenue #1308
Chicago, IL 60657-5657

Virola, Amanda L
5642 W Melrose St. Garden Unit
Chicago, IL 60634-4313

Walter Yarbrough
3011 W. 61st
Chicago, IL 60629-3248

Jeffrey Wilens
Lakeshore Law Center
18340 Yorba Linda Blvd.
Yorba Linda, CA 92886-4058

Jeffrey Wilens

Lakeshore Law Center

18340 Yorba Linda Blvd., Suite 107-610

Yorba Linda, CA 92886-4058

William Harris

302 West Blackburn

Paris, IL 61944-1037

Document

Page 12 of 22

Wolfe, Raviv

571 Vernon Woods Dr.

Valparaiso, IN 46385-9106

Woodworth, Allison J

516 W Melrose St Apt 306

Chicago, IL 60657-3787

Yodlee

Lockbox Dept CH 17505

Palatine, IL 60055-7405

Zumski, Gary

4204 E. Frontage Rd

Rolling Meadows, IL 60008-2520

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Bank of America

PO box 982234

El Paso TX 79948-2234

DIRECTV LLC

Attn: Bankruptcies

POB 6550

Greenwood Village CO 80155-6550

Jefferson Capital System

16 Mclelland Rd

Saint Cloud MN 56303

Portfolio Recovery

120 Corporate Blvd

Ste 100

Norfolk VA 23502

(d)Portfolio Recovery Associates LLC

POB 41067

Norfolk VA 23541-1067

TransUnion

555 West Adams Street

Chicago, IL 60661

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ad Hoc Committee of Unsecured Creditors

(u)Brittney Gale Alaimo

(u)Christina Alston

(d)American Express National Bank

c/o Becket and Lee LLP

PO Box 3001

Malvern PA 19355-0701

(u)Michael P. Bailey

(u)Anitra Aytman Billops

(u)John K. Brigoli

(u)Stephen Craig Brown

(u)Alejandro Camacho

(u)Joseph Canfora

(u)Matthew Cantor

(u)Dennis C. Cantrell

(u)Tiffany N. Comfort

(u)Patti M. Couture

(u)Dale & Gensburg, P.C.

(u)Shelly A. DeRousse

(u)Donald Dotson

(u)Dennis B. Estrada-Jimenez

(u)FactorLaw

(u)Pete Ferro

(u)Lindsay Fore

(u)John Fontaine

(u)Fund Recovery Services, LLC

(u)Gensburg Calandriello & Kanter, P.C.

(u)Rosemary Gonzalez-Lopez

(u)Sonja Hallmon

(u)Karensa Hutchens

(u)April D. Johnson

(u)Joseph Martinez
3746 Morning Glory Ave.
AK 99534-8000

(u)Kim L. King

(u)Latonya D. Kitchen

(u)Kutchins, Robbins & Diamond, Ltd.

(u)Little Owl Argon, LLC

(u)Theresa Madrigal

(u)Margon LLC

(u)Margon LLC, Mark Triffler, Pete Ferro and

(u)Mark Triffler Declaration of Trust

(u)Yolanda J. McKinney

(u)Morris Anderson & Associates, Ltd.

(u)Mathew V. Muniz

(u)Peraza Capital and Investment, LLC

(u)Jerardo Prado

(u)Steven Prescott

(u)Joseph N. Roberson

(u)Delilah Jasso Rodriguez

(u)Eric Shorter

(u)Dean Sipe

(u)Jennifer J. Solorio

(u)Felicia M. Spiller

(u)Sugar Felsenthal Grais & Hammer, LLP

(u)Sharon S. Tatumausbie

(u)The Cardinal Trust

(u)Mark Triffler

(u)Karen Vinson

(u)Lois West

(u)Samantha Rae Wilder

End of Label Matrix	
Mailable recipients	215
Bypassed recipients	56
Total	271

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:	)	Case No. 16-39654
	)	(Jointly Administered)
ARGON CREDIT, LLC, <i>et al</i> ,)	
	)	Chapter 7
Debtors.)	
	)	Hon. Deborah L. Thorne
)	
	)	Hearing Date: October 15, 2020 at 9:00 a.m.
)	

**MOTION FOR ENTRY OF AN ORDER: (I) PURSUANT TO BANKRUPTCY RULE
9019 APPROVING SETTLEMENT WITH FUND RECOVERY SERVICES, LLC,
AND (II) APPROVING PAYMENT OF CONTINGENCY FEE**

Karen R. Goodman (the “*Trustee*”), the chapter 7 Trustee in the above captioned cases, by and through her undersigned counsel, hereby submits this motion (the “*Motion*”) to this Court pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”) for entry of an order approving settlement between the Trustee and Fund Recovery Services, LLC (“*FRS*”) and approving payment of the contingency fee owed to Freeborn & Peters LLP (“*Freeborn*”). In support of the Motion, the Trustee states as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and 28 U.S.C. § 157(a) and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1408.
3. The predicate for the relief requested in this Motion is Bankruptcy Rule 9019.

BACKGROUND

I. General Case Background

4. On December 16, 2016 (the “*Petition Date*”), Argon Credit, LLC (“*Argon Credit*”) and Argon X, LLC (“*Argon X*,” together with Argon Credit, the “*Debtors*”) filed voluntary petitions for relief under chapter 11 of title 11 of the United State Code (the “*Bankruptcy Code*”).

5. On January 11, 2017, the Debtors’ bankruptcy cases were converted from cases under chapter 11 to cases under chapter 7.

6. Deborah K. Ebner was appointed the interim chapter 7 trustee of the Debtors’ estates, but resigned on April 17, 2017.

7. Eugene Crane was appointed as interim chapter 7 trustee on April 17, 2017 and confirmed by the Court on July 6, 2017.

8. On July 11, 2017, the Court entered an order authorizing Eugene Crane, as chapter 7 trustee, to employ Freeborn as special counsel to, among other things, pursue chapter 5 causes of action on a contingency fee basis. (ECF No. 207). Pursuant to the court-approved terms of Freeborn’s engagement, Freeborn is entitled to a contingency fee of: (i) 30% of the cash value of the settlement prior to filing a lawsuit (the “*Pre-Suit Contingency Fee*”) or 40% of the cash value of the settlement after filing a lawsuit (the “*Post-Suit Contingency Fee*,” together with the Pre-Suit Contingency Fee, the “*Settlement Amount Contingency Fee*”), (ii) plus the cash equivalent value of any claim waiver obtained (the “*Claim Waiver Contingency Fee*”).

9. On June 1, 2020, the Trustee was appointed as the successor chapter 7 trustee after Mr. Crane’s resignation.

10. On July 30, 2020, the Court entered an order authorizing the Trustee to retain Freeborn on the same terms as previously approved with respect to Mr. Crane. (ECF No. 505).

II. The FRS Settlement

11. FRS was Argon X's pre-petition secured lender which loan was secured by substantially all of Argon X's assets and guaranteed by Argon Credit. The loan was originally made by Fintech Financial, LLC ("*Fintech*") who agreed to sell, assign, and transfer all of its rights under the loan agreement to Princeton Alternative Income Fund, LP ("*Princeton*"). The loan agreement was subsequently amended twice and increased the maximum credit available to \$37.5 million.

12. On December 7, 2016, Princeton assigned its rights in the loan agreements to FRS.

13. Argon Credit, the unsecured guarantor, made certain pre-petition transfers to or for the benefit of FRS totaling \$239,617.47 which the Trustee contends are avoidable and recoverable under chapter 5 of the Bankruptcy Code (the "*Avoidance Claims*").

14. On December 29, 2016, FRS filed a proof of claim against Argon X as Claim No. 1, which was subsequently amended to assert a secured claim against Argon X in the amount of \$37,291,193.98 (the "*FRS-Argon X Proof of Claim*") and against Argon Credit as Claim No. 1, which was subsequently amended to assert a general unsecured claim against Argon Credit in the amount of \$37,291,193.98 (the "*FRS-Argon Credit Proof of Claim*" together with the FRS-Argon X Proof of Claim, the "*FRS Proofs of Claim*").

15. On May 30, 2017, Princeton filed a proof of claim against Argon Credit as Claim No. 19 and against Argon X as Claim No. 2 in unliquidated amounts for alleged fraud, misrepresentation, and civil conspiracy (the "*Princeton Proofs of Claim*").

16. FRS is the successor-in-interest to the Princeton Proofs of Claim.

17. The Trustee and FRS entered into numerous tolling agreements which tolled all applicable statutes of limitations with respect to, among other things, the Avoidance Claims.

18. FRS disputes the Trustee's Avoidance Claims and the Trustee has raised certain issues with respect to the amount of the FRS Proofs of Claim and the validity of the Princeton Proofs of Claim.

19. The Trustee and FRS have exchanged information, negotiated, and have agreed to settle their disputes. To that end, the parties entered into a settlement agreement (the "*Settlement Agreement*") fully resolving the parties' disputes. A true and correct copy of the Settlement Agreement is attached hereto as Exhibit 1.

20. The relevant terms of the Settlement Agreement are summarized as follows:¹

- FRS shall pay the Trustee the sum of \$75,000.00 (the "*Settlement Sum*") in full satisfaction of the Avoidance Claims (as defined in the Settlement Agreement).
- FRS shall waive the Princeton Proofs of Claim and any claim arising under section 502(h) of the Bankruptcy Code.
- The parties agree that the balance owed to FRS as of the Petition Date on account of the FRS Proofs of Claim is \$37,261,681.33 (a reduction of \$29,512.65). The Trustee shall retain the right to object to the amount of the FRS Proofs of Claim based upon FRS' receipt and application of collateral proceeds collected since the Petition Date, FRS' inclusion of improper fees, interest, or costs, and that such objection shall not be subject to any deadline or time restrictions other than those generally applicable to other proofs of claim filed against the Debtors.
- The Trustee, on behalf of the Debtors' estates, shall release FRS from all claims arising on or before the date of the Settlement Agreement.

¹The discussion of the settlement with FRS set forth in this Motion is merely a summary of terms. All parties-in-interest should read the entire Settlement Agreement to understand the entire scope of the parties' agreements. In the event of any discrepancy, the terms of the Settlement Agreement shall govern.

RELIEF REQUESTED

21. By this Motion, the Trustee seeks entry of an order approving the Settlement Agreement pursuant to Bankruptcy Rule 9019(a) and entry of an order approving the Settlement Amount Contingency Fee owed to Freeborn.

A. Approval of the Settlement Agreement

22. Pursuant to Bankruptcy Rule 9019(a), “[o]n motion by the trustee and after notice and a hearing, the court may approve a compromise or settlement.” Fed. R. Bankr. P. 9019(a). Such settlements should be approved by a court if they are fair and reasonable and in the best interests of the debtor’s estate. *See Depoister v. Mary M. Holloway Found.*, 36 F.3d 582, 586 (7th Cir. 1994) (“In conducting a hearing under Rule 9019(a), the bankruptcy court is to determine whether the proposed compromise is fair and equitable and in the best interests of the bankruptcy estate.”) (internal citations omitted); *In re Andreuccetti*, 975 F.2d 413, 421 (7th Cir. 1992) (holding that Bankruptcy Rule 9019(a) authorizes the court to approve a settlement if “the settlement is in the best interests of the estate”); *In re Energy Coop., Inc.*, 886 F.2d 921, 926-27 (7th Cir. 1989) (providing that “[t]he benchmark for determining the propriety of a bankruptcy settlement is whether the settlement is in the best interests of the estate”); *In re Griffen Trading Co.*, 270 B.R. 883, 903 (Bankr. N.D. Ill. 2001), *aff’d*, 270 B.R. 905 (N.D. Ill. 2001) (citing *LaSalle Nat’l Bank v. Holland (In re Am. Reserve Corp.)*, 841 F.2d 159, 161 (7th Cir. 1987)).

23. Compromises are tools for expediting the administration of the case and reducing administrative costs and are favored in bankruptcy. *See Fogel v. Zell*, 221 F.3d 955, 960 (7th Cir. 2000) (“Judges naturally prefer to settle complex litigation than to see it litigated to the hilt, especially when it is litigation in a bankruptcy proceeding – the expenses of administering the bankruptcy often consume most or even all of the bankrupt’s assets.”); *Meyers v. Martin (In re*

Martin), 91 F.3d 389, 393 (3d Cir. 1996) (“To minimize litigation and expedite the administration of a bankruptcy estate, compromises are favored in bankruptcy.”); *In re A&C Props.*, 784 F.2d 1377, 1381 (9th Cir. 1986).

24. The Court should grant a trustee’s request for approval of a settlement except in the very limited circumstance where a proposed settlement “falls below the lowest point in the range of reasonableness.” *Energy Coop.*, 886 F.2d at 929; *Official Comm. of Unsecured Creditors of Artra Group, Inc. v. Artra Group, Inc. (In re Artra Group, Inc.)*, 300 B.R. 699, 702 (Bankr. N.D. Ill. 2003) (same); *In re Rimsat, Ltd.*, 224 B.R. 685, 688 (Bankr. N.D. Ind. 1997) (providing that the court is required only “to canvas the issues in order to determine whether the settlement falls below the lowest point in the range of reasonableness”); *In re Telesphere Commc’ns, Inc.*, 179 B.R. 544, 553 (Bankr. N.D. Ill. 1994).

25. In determining whether a proposed settlement is appropriate, neither an evidentiary hearing nor a rigid mathematical analysis is required. *Depoister*, 36 F.3d at 586, 588 (evidentiary hearing not required); *In re Energy Coop.*, 886 F.2d at 928-29 (rigid mathematical analysis of settlement values not required); *In re Am. Reserve Corp.*, 841 F.2d at 163 (mini-trial not required). Rather, the Seventh Circuit offers the following guidelines:

Central to the bankruptcy judge’s determination is a comparison of the settlement’s terms with the litigation’s probable costs and probable benefits. Among the factors the bankruptcy judge should consider in [the] analysis are the litigation’s probability of success, the litigation’s complexity, and the litigation’s attendant expense, inconvenience, and delay.

Am. Reserve Corp., 841 F.2d at 161 (citations omitted).

26. The Settlement Agreement satisfies this standard. FRS has agreed to pay \$75,000, which is approximately 30% of the total Avoidance Claim demand. It has also agreed to partially reduce the FRS Proofs of Claim and waive the Princeton Proofs of Claim which asserted claims for fraud, misrepresentation, and civil conspiracy.

27. The Trustee submits that this settlement is well within the reasonable range of possible litigation outcomes taking into account the defenses FRS has raised, the information it has provided in support of those defenses, and the value of the waiver of the Princeton Proofs of Claim. In particular, FRS raised certain defenses under section 547(c) of the Bankruptcy Code and disputed the Trustee's ability to recover the transfers under section 550(a) of the Bankruptcy Code. The Trustee believes that the Settlement Sum represents a reasonable resolution of the Avoidance Claims in light of these defenses. Additionally, it avoids the costs of litigation which may be substantial and could significantly reduce or eliminate any recovery, particularly given the amount at issue.

28. This settlement allows the Trustee to avoid the uncertainty associated with litigation while maximizing the value of the Debtors' estates for the benefit of their creditors. Accordingly, the Trustee submits that the Court should approve the Settlement Agreement pursuant to Bankruptcy Rule 9019(a).

B. Approval of the Settlement Amount Contingency Fee

29. The Trustee also requests approval to pay Freeborn the Settlement Amount Contingency Fee per the terms of Freeborn's retention of which Freeborn is entitled to a Pre-Suit Contingency Fee of 30%.²

30. The Trustee submits that Freeborn is entitled to the Settlement Amount Contingency Fee totaling \$22,500.00 calculated as follows:

²The Trustee is not requesting payment of any Claim Waiver Contingency Fees at this time, but reserves the right to request authority to pay such fees in the future.

Transferee	Settlement Amount	Settlement Amount Contingency Fee Owed
FRS	\$75,000.00	\$22,500.00

31. Accordingly, the Trustee requests that the Court approve, on an interim basis, payment to Freeborn of \$22,500.00 from the settlement proceeds, representing the total Settlement Amount Contingency Fee owed from the settlement.

NOTICE

32. The Trustee has served notice of this Motion on the Debtors, U.S. Trustee, and all creditors pursuant to Bankruptcy Rule 2002 and stated that copies of the complete Motion may be obtained from counsel for the Trustee upon request. The Trustee submits that such notice is appropriate under the circumstances.

WHEREFORE, the Trustee respectfully requests that the Court enter an order: (i) approving the Settlement Agreement with FRS, (ii) approving payment to Freeborn, on an interim basis, of \$22,500.00 representing the total Settlement Amount Contingency Fee, and (iii) granting such other and further relief as this Court deems just and proper.

Dated: September 24, 2020

**KAREN R. GOODMAN, CHAPTER 7
TRUSTEE**

By: /s/ Elizabeth L. Janczak
One of Her Attorneys

Shelly A. DeRousse, Esq.
Elizabeth L. Janczak, Esq.
FREEBORN & PETERS LLP
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606-6677
Telephone: 312.360.6000
Facsimile: 312.360.6520
sderousse@freeborn.com
ejanczak@freeborn.com